

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

***Return Date: January 4, 2024***

***Time: 1:00 pm***

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In re:

Chapter 13

Case No.: 23-74162-845

ROBERT A. LIGUORI

*aka Robert Liguori*

*aka Robert Alphonse Liguori*

Debtor(s)

**NOTICE OF MOTION**

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SIRS / MADAMS

**PLEASE TAKE NOTICE**, that MICHAEL J. MACCO, Chapter 13 Trustee of the above captioned estate, will move before the Honorable Louis A. Scarcella, United States Bankruptcy Judge on the 4th day of JANUARY, 2024 at 1:00 pm., at the United States Bankruptcy Court located at the Alfonse M. D'Amato U.S. Courthouse, 290 Federal Plaza – Courtroom 963, Central Islip, New York 11722, for an Order pursuant to 11 U.S.C. §§521 & 1307(c), dismissing this case by reason of the debtor(s)' failure to provide and/or file documents, and for such other and further relief as this Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE**, that answering papers, if any, shall be filed with the Court and served upon the undersigned no later than three (3) days prior to the return date of this motion.

Dated: Islandia, New York  
December 18, 2023

Yours, etc.

MICHAEL J. MACCO  
Chapter 13 Trustee  
2950 Express Drive South, Suite 109  
Islandia, New York 11749  
(631) 549-7908

To: *Office of the United States Trustee*  
*ROBERT A. LIGUORI, Debtor(s)*  
*SCOTT R. SCHNEIDER, ESQ. Attorney for Debtor(s)*  
*All Interested Parties and Creditors*

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re:

**tmm1634**

Chapter 13  
Case No.: 23-74162-845

ROBERT A. LIGUORI  
*aka Robert Liguori*  
*aka Robert Alphonse Liguori*

Debtor(s)

**APPLICATION**

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TO THE HONORABLE LOUIS A. SCARCELLA, UNITED STATES BANKRUPTCY JUDGE:

MICHAEL J. MACCO, Chapter 13 Trustee in the above captioned estate, respectfully represents as follows:

1. The debtor(s) filed a petition under the provisions of 11 U.S.C. Chapter 13 on November 8, 2023, and thereafter MICHAEL J. MACCO was duly appointed and has qualified as Trustee.
2. As of the date of this motion, the debtor(s) has failed to provide the Trustee with amended schedules to add creditor (Verizon); Water utility bill for the month of November; turnover tax refunds upon receipt; proof post-petition mortgage and solar panel payments have been made; and bank statements for TD bank account ending 2093 from November 1, 2023 to November 7, 2023 and from TD bank account ending 2085 from November 1, 2023 to November 11, 2023.
3. This is a material default and is prejudicial to the rights of the creditors of the debtor(s).

**WHEREFORE**, the Trustee requests an Order pursuant to the provisions of 11 U.S.C. §§521 & 1307(c), dismissing this case, and for such other and further relief as this Court deems just and proper.

Dated: Islandia, New York  
December 18, 2023

**Michael J. Macco**  
Michael J. Macco, Chapter 13 Trustee  
2950 Express Drive, Suite 109  
Islandia, NY 11749  
(631) 549-7908

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

Case No: 23-74162-845

IN RE:

ROBERT A. LIGUORI  
*aka Robert Liguori*  
*aka Robert Alphonse Liguori*  
Debtor(s)

**CERTIFICATE OF SERVICE  
BY MAIL AND ELECTRONIC  
SERVICE**

This is to certify that I, Stephanie Turner, have this day served a true, accurate and correct copy of the within ***Notice of Motion and Application***, by depositing a true copy of same, enclosed in a post-paid, properly addressed wrapper in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York:

*Robert A. Liguori*  
*15 Wood Place*  
*Lindenhurst, NY 11757*  
*Debtor(s)*

and upon the following parties, by the e-mail address designated by said parties for that purpose;

*Office of the United States Trustee*  
*Alfonse M. D'Amato U.S. Courthouse*  
[USTPRegion02.LI.ECF@usdoj.gov](mailto:USTPRegion02.LI.ECF@usdoj.gov)

*Scott R. Schneider, Esq.*  
*The Law Offices of Scott R. Schneider, P.C.*  
[scottsch@optonline.net](mailto:scottsch@optonline.net)  
*Attorney for Debtor(s)*

*Metropolitan Life Insurance Company*  
*Roach & Lin, P.C.*  
*Jacqueline Kelly, Esq.*  
[jacqueline.kelly@roachlin.com](mailto:jacqueline.kelly@roachlin.com)

*Bank of America, N.A.*  
*Davidson Fink LLP*  
*Sean P. Williams, Esq.*  
[spwilliams@davidsonfink.com](mailto:spwilliams@davidsonfink.com)

This December 18, 2023

/s/ **Stephanie Turner**  
Stephanie Turner, Paralegal  
Office of the Standing Chapter 13 Trustee  
Michael J. Macco, Esq.  
2950 Express Drive South, Suite 109  
Islandia, NY 11749  
631-549-7908